

## Message Text

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ORIGIN AF-10

INFO OCT-01 ISO-00 CPR-01 L-03 CIAE-00 INR-07 NSAE-00

PM-04 NSC-05 SP-02 SS-15 /048 R

DRAFTED BY AF/W:BSKIRKPATRICK/L/M:HFSHAMWELL:IW

APPROVED BY AF/W:TWMSSMITH

S/CPR:HDAVIS

-----261606Z 055522/56

R 261355Z MAY 77

FM SECSTATE WASHDC

TO AMEMBASSY COTONOU

LIMITED OFFICIAL USE STATE 121635

E.O. 11652: N/A

TAGS: PINT, PDIP, DM, US

SUBJECT: TREATMENT OF U.S. DIPLOMATS

REF: COTONOU 870

1. SHOULD APPROACH REPORTED REFTEL PROVE UNSUCCESSFUL POST  
SHOULD DRAW ON FOLLOWING IN ADDITIONAL APPROACHES TO GPRB.

2. WHILE USG RECOGNIZES NO ABSOLUTE IMMUNITY OF DIPLOMATS  
AGAINST SEARCH OF THEIR PERSONAL BAGGAGE, CURRENT INTER-  
PRETATION OF VIENNA CONVENTION (AS WELL AS USG PRACTICE) IS  
THAT SUCH SEARCHES SHOULD BE MADE ONLY IN CASES WHERE THERE  
IS SPECIFIC AND SERIOUS REASON TO BELIEVE THAT BAGGAGE CON-  
TAINS PROHIBITED ITEMS. DRAFTING HISTORY OF THE VIENNA  
CONVENTION REFLECTS AN INTENTION TO PRESERVE THE CUSTOMARY  
PRACTICE EXEMPTING BAGGAGE SEARCHES OF DIPLOMATS UNDER  
ORDINARY CIRCUMSTANCES.

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3. INTERNATIONAL LAW EXPRESSLY PROHIBITS DISCRIMINATION ON  
THE BASIS OF A COUNTRY OR GROUP OF COUNTRIES (I.E. WESTERN  
STATES). THE SEARCH SHOULD BE BASED ON SPECIFIC EVIDENCE  
CONCERNING AN INDIVIDUAL DIPLOMAT AND HIS BAGGAGE, REGARD-  
LESS OF THE DIPLOMAT'S NATIONALITY OR OTHER EXTRANEous  
FACTORS.

4. THE USG RESERVES THE RIGHT TO TAKE RECIPROCAL RESTRICTIVE MEASURES IF THE GPRB CONTINUES TO SEARCH THE BAGGAGE OF OUR DIPLOMATS (ART. 47, VIENNA CONVENTION).

5. FYI: DEPARTMENT DOES NOT WISH TO ASK CUSTOMS TO EXAMINE BAGGAGE OF BENINESE REPRESENTATIVES ON A RECIPROCAL BASIS. THIS WOULD SET AN UNDESIRABLE PRECEDENT WITH REGARD TO OUR SUPPORT FOR THE INVIOABILITY OF THE PROPERTY AND PERSON OF DIPLOMATS AND WOULD ALSO BE VERY DIFFICULT TO ENFORCE, MAKING DRAWBACKS OUTWEIGH BENEFITS.

VANCE

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NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PERSONNEL HARASSMENT, CUSTOMS INSPECTIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 26-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE121635  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** BSKIRKPATRICK/L/M:HFSHAMWELL:IW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770188-0690  
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**Legacy Key:** link1977/newtext/t19770513/aaaaalkd.tel  
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**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 275f3289-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 COTONOU 870  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 30-Nov-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2353615  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TREATMENT OF U.S. DIPLOMATS  
**TAGS:** PINT, PDIP, DM, US  
**To:** COTONOU  
**Type:** TE  
**vdkvgwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/275f3289-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009